

**Response**

Applicant: Jeffrey Scott Weaver

Serial No.: 10/085,713

Filed: February 28, 2002

Docket No.: 10010089-1

Title: ENABLING PRINTING FEATURES FOR AUTHORIZED USERS**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed February 22, 2007, in which claims 1 and 3-22 were rejected.

Claims 1 and 3-22 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103**

Claims 1, 8, 10, 17, 18, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Berndt US Publication No. 2003/0151760.

Claims 3, 4, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berndt US Publication No. 2003/0151760 in view of Francis US Patent No. 6,650,430.

Claims 5-7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berndt US Publication No. 2003/0151760 in view of Mazzagatte US Patent No. 6,862,583.

Claims 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berndt US Publication No. 2003/0151760 in view of Bolash US Patent No. 6,151,041.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berndt US Publication No. 2003/0151760 in view of Herbert US Patent No. 6,212,505.

Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berndt US Publication No. 2003/0151760 in view of Herbert US Patent No. 6,212,505, and further in view of Mazzagatte US Patent No. 6,862,583.

The earliest effective date of the Berndt US Publication No. 2003/0151760 is February 12, 2002 which is prior to the filing date of February 28, 2002 of the present patent application. Accompanying this Response is a Declaration of Prior Invention under 37 C.F.R. 1.131 to establish conception of the subject matter of the present patent application in the United States prior to the earliest effective date of February 12, 2002 of the Berndt US Publication No. 2003/0151760 coupled with due diligence from prior to the earliest effective date of the Berndt publication up to the filing date of the present patent application (i.e., constructive reduction to practice). Applicant, therefore, respectfully requests consideration of the Declaration of Prior Invention under 37 C.F.R. 1.131.

In view of the above, Applicant submits that the Berndt US Publication No. 2003/0151760 does not qualify as a reference under 35 U.S.C. 102(e) and, therefore, does not

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qualify as a reference under 35 U.S.C. 103(a). Applicant, therefore, respectfully requests that the rejection of claims 1, 8, 10, 17, 18, and 22 under 35 U.S.C. 102(e) and the rejections of claims 3, 4, and 21, claims 5-7 and 19, claims 9 and 20, claim 16, and claims 11-15 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1 and 3-22 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 1 and 3-22 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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By,

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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 22<sup>nd</sup> day of May, 2007.

By   
Name: Scott A. Lund